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TAGS: [KCRM](#) [PINR](#) [PGOV](#) [AL](#)  
SUBJECT: ALBANIA: FORMER INTELLIGENCE SERVICE DIRECTOR, NOW  
DIRECTOR OF TAX ADMINISTRATION, UNDER HOUSE ARREST

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Summary  
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1. (SBU) Prime Minister Berisha has refused to dismiss a senior government official facing criminal investigation. The General Director of Tax Administration, Arben Sefgjini, was formally charged by the Prosecutor's office for kidnapping and torture with grave consequences during his previous service as the Tirana Director of the repressive SHIK, the Albanian National Intelligence Service of the mid-1990s. Sefgjini is under house arrest. At a time when domestic and international focus is on the Albanian legal system in the wake of Gerdec, this case stands in contrast to PM Berisha's proclaimed fight against corruption and crime. End Summary.

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Prosecution for Kidnapping and Torture  
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2. (U) In April, the Serious Crimes Prosecution Office brought charges against Sefgjini and three other persons related to the 1995 disappearance of a Macedonian citizen of Albanian ethnicity. During the time of the disappearance, Sefgjini was the Tirana Branch Director for the Albanian National Intelligence Service (SHIK, the precursor to today's SHISH). The Serious Crimes Prosecution Office also obtained approval to place Sefgjini under house arrest to avoid potential escape. Sefgjini served pre-trial confinement in a previous case involving the same events in 2003, but he was never convicted.

3. (U) Opposition political parties and the media were quick to point out that, according to the law on civil service, the Tax Director should be immediately suspended from his duties until the legal process is completed. There was initially no reaction from the government and the prosecution was unable to locate Sefgjini. After political pressure mounted, Sefgjini was found and placed under house arrest. Sefgjini then challenged the house arrest in Tirana's Serious Crimes Court. The Court not only maintained the house arrest order, but the prosecutor added an additional charge for the torture of an additional person.

4. (U) When asked by the media why he had not and was not dismissing Sefgjini as Tax Director, Prime Minister Berisha said that Sefgjini had already been to prison and received full compensation from the court after the 2003 case was dropped. Berisha said he would take no action against Sefgjini, and added that the "courts have too much power in Albania and must be reformed." Opposition Socialist Party (SP) Chairman Edi Rama immediately declared that by this statement, Berisha was seeking to predetermine the results of the judicial process. Rama said, "Berisha continues to be the shield of this character (Sefgjini). He is the only person in the world who continues to hold a senior state function while under arrest." Opposition Movement for Socialist Integration (LSI) Chairman Meta commented, "Berisha threatens and challenges the courts of the country by not dismissing a trusted director of his, charged with the crime of murder."

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Sefgjini Background  
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5. (U) Arben Sefgjini was appointed Director General of Tax Administration in March 2008, the first time his name re-emerged since he was placed in prison in 2003. At that time, he served a one-year detention while Albanian prosecutors were investigating the 1995 kidnapping, torture, and disappearance of an ethnic Albanian Macedonian businessman named Remzi Hoxha and two Albanian citizens, Ziso Kristopulli and AdLsa. oxa was a semi-public figure and a member of the movement for the liberation of Kosovo. AtrHoxha disappeared in 1995, his family states that he died at the hand of his kidnappers. The two other individuals who disappeared with Hoxha, Kristopulli and AdLsa, are still alive and are expected to testify in the Hoxha case.

6. (U) In 1995, Sefgjini was observed with SHIK officers Ilir

Kumbaro, Avni Koldashi and Budjon Mece, abducting Hoxha with a SHIK vehicle. Currently, Kumbaro's whereabouts are unknown, Koldashi is also under house arrest, and Mece is in the hospital. Despite the wide publicity to this case brought by Hoxha's family, Sefgjini, Mece, Koldashi and Kumbaro were released in 2004 when lawyers realized all of the men were covered by the 1997 amnesty law issued by then-President Berisha. After being released, Sefgjini worked as a private lawyer. Little is known about his activities until he was appointed as Director of the Bailiff's Office in 2007.

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17. (SBU) Prior to its reform and restructuring as today's SHISH, the SHIK was a repressive instrument used by the government to suppress dissent. Sefgjini was a senior director of this group and as Tirana Director one of its most powerful. His current appointment to a senior position in the government attracted attention and criticism from the opposition. The Prime Minister's refusal now to suspend Sefgjini pending resolution of these long-standing charges, as required by Albania's civil service law, is a decision of questionable political merit in the current climate of attention to Albanian rule of law and the battle against corruption. The outcome of this case, and of the ongoing parliamentary debate over the removal of immunity for former Minister of Defense Fatmir Mediu, are key tests of the government's willingness to apply the rule of law impartially, including to favored politicians and those close to the political elite. The work of the Serious Crimes Prosecution Office to secure Sefgjini's arrest in this lingering case is a positive step by another of Albania's fledgling independent institutions.

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